

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:15-CT-3054-BO

JESSE LEE KARRICK,

Plaintiff,

v.

DEPUTY WARDEN WASHINGTON, *et al.*,

Defendants.

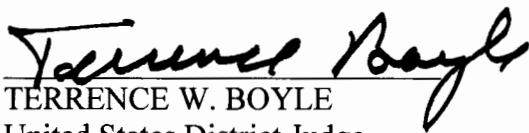
**ORDER**

On September 17, 2015, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) [D.E. 13]. In the M&R, Judge Numbers recommended that plaintiff’s Eighth Amendment claim be allowed to proceed against Defendants Applewhite, Rivers, Shannweiler, and Hunt in their individual capacities, that the district court dismiss plaintiff’s claims against the Defendants in their official capacities because they are barred by Eleventh Amendment immunity, and that the district court dismiss claims against Warden Washington in his individual capacity because the Complaint fails to allege his personal involvement in the alleged constitutional violations.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration, emphasis, and quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

Plaintiff has filed no objections. The court has reviewed the M&R, the record, and the pleadings. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 13].

SO ORDERED, this 2 day of October, 2015.

  
TERRENCE W. BOYLE  
United States District Judge